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REPORT OF THE HIGH COMMISSIONER FOR REFUGEES, QUESTIONS
RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS
AND HUMANITARIAN QUESTIONS

Report of the Third Committee

Rapporteur: Mrs. Rosa Carmina Recinos de MALDONADO (Guatemala)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled "Report of the High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

2. The Committee considered the item at its 23rd to 28th, 33rd, 34th, 38th, and 39th meetings, on 4, 5, 8 and 9, 15, 16, 19 and 22 November 1993. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/48/SR.23-28, 33, 34, 38 and 39).

3. For its consideration of the item, the Committee had before it the following documentation:

(a) Report of the United Nations High Commissioner for Refugees (A/48/12 and Add.1); 1/

(b) Report of the Secretary-General on the International Conference on Central American Refugees (A/48/391);

1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 12 and 12A (A/48/12 and Add.1).

(c) Report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/48/444);

(d) Letter dated 11 January 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Afghanistan to the United Nations addressed to the Secretary-General (A/48/64);

(e) Letter dated 24 February 1993 from the Permanent Representative of Benin to the United Nations addressed to the Secretary-General transmitting a document from the Holy See (A/48/91);

(f) Letter dated 9 April 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/134-S/25574);

(g) Letter dated 27 May 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Romania to the United Nations addressed to the Secretary-General (A/48/181);

(h) Letter dated 28 May 1993 from the Permanent Representative of the Republic of Moldova to the United Nations addressed to the Secretary-General (A/48/184);

(i) Letter dated 11 June 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/207-S/25936);

(j) Letter dated 27 July 1993 from the Permanent Representative of Thailand to the United Nations addressed to the Secretary-General transmitting the text of a Joint Communiqué of the Twenty-sixth Ministerial Meeting of the Association of South-East Asian Nations, held at Singapore on 23 and 24 July 1993 (A/48/294-S/26247);

(k) Letter dated 6 August 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/299-S/26261);

(l) Letter dated 10 August 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Rwanda to the United Nations addressed to the Secretary-General (A/48/308-S/26295);

(m) Letter dated 12 July 1993 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General transmitting documents adopted by the twenty-first Islamic Conference of Foreign Ministers, held at Karachi from 25 to 29 April 1993 (A/48/396-S/26440);

(n) Letter dated 15 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General (A/48/604-S/26762);

(o) Letter dated 16 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Azerbaijan to the United Nations addressed to the Secretary-General (A/48/605-S/26763);

(p) Letter dated 12 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/C.3/48/14).

4. At its 23rd meeting, on 4 November, the United Nations High Commissioner for Refugees made an introductory statement.

5. At the 28th meeting, on 9 November, the Director of the New York Office of the High Commissioner for Refugees, made concluding remarks.

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/48/L.21 and L.21/Rev.1

6. At the 33rd meeting, on 15 November, the representative of the Russian Federation, on behalf of Belarus, Chile, the Philippines, the Russian Federation and Tajikistan, introduced a draft resolution, entitled "Convening of a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants" (A/C.3/48/L.21). Subsequently Azerbaijan and Guyana joined in sponsoring the draft resolution, which read as follows:

"The General Assembly,

"Taking into consideration the complexity and urgency of the global refugee crisis and the need to adopt a comprehensive approach by the international community for the coordination of action with regard to refugees, returnees, displaced persons and migrants,

"Recognizing the need to develop innovative strategies, mechanisms and decisions in this field,

"1. Takes note of the proposal to convene a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants;

"2. Invites all Member States, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations and non-governmental organizations concerned to undertake reviews and submit recommendations to the Secretary-General with regard to the timeliness of convening such a conference;

"3. Requests the Secretary-General to submit to the General Assembly at its forty-ninth session a report on the contributions received pursuant to paragraph 2 above."

7. In introducing the draft resolution, the representative of the Russian Federation orally revised it as follows: in operative paragraph 2, the word "timeliness" was replaced with the word "appropriateness".

8. At the 39th meeting, on 22 November, the representative of the Russian Federation, on behalf of Azerbaijan, Belarus, Chile, Guyana, the Philippines, the Russian Federation and Tajikistan, introduced a revised draft resolution (A/C.3/48/L.21/Rev.1).

9. At the same meeting, the Committee adopted revised draft resolution A/C.3/48/L.21/Rev.1 without a vote (see para. 31, draft resolution I).

B. Draft resolution A/C.3/48/L.22

10. At the 33rd meeting, on 15 November, the Committee had before it a draft resolution entitled "Horn of Africa" (A/C.3/48/L.22), which was sponsored by Eritrea and read as follows:

"The General Assembly,

"Aware that Eritrea has been devastated by a 30-year war and repeated droughts, thus its economy and resources have been destroyed and that it is starting anew,

"Deeply concerned about the massive task of repatriating over half a million refugees, particularly from the Sudan, and resettling voluntary returnees, internally displaced persons and the demobilized former combatant army in Eritrea, and the enormous burden that these have placed on the infrastructure and meagre resources of the country,

"Deeply concerned also about the consequences that these have entailed for Eritrea's capability to tackle the effects of the prolonged drought and rebuild the economy of the country,

"Aware of the heavy burden placed on the Government of Eritrea and of the need for immediate and adequate assistance to its Programme for Refugee Reintegration and Rehabilitation of Resettlement Areas in Eritrea and for the resettling of demobilized former combatants and victims of natural disasters,

"Recognizing the need to integrate refugee-related development projects into local and national development plans,

"Recognizing also the need for cooperation between the Government of Eritrea and the Department of Humanitarian Affairs of the United Nations Secretariat and other relevant organizations in order to mobilize the necessary international assistance to put the programmes of human resettlement into action in Eritrea,

"1. Appeals to Member States, international organizations and non-governmental organizations to provide adequate and sufficient

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financial, material and technical assistance for relief and rehabilitation programmes for the large number of refugee returnees and displaced persons and victims of natural disasters;

"2. Calls upon the Secretary-General, the United Nations High Commissioner for Refugees, the Department of Humanitarian Affairs of the United Nations Secretariat and the humanitarian agencies of the United Nations to continue their efforts to mobilize humanitarian assistance for the relief, repatriation and resettlement of refugee returnees, displaced persons and demobilized former combatants;

"3. Requests the Secretary-General to continue his efforts to mobilize adequate financial and material assistance for the full implementation of ongoing projects in rural and urban areas affected by the presence of refugee returnees, displaced persons and demobilized former combatants;

"4. Requests the Under-Secretary-General for Humanitarian Affairs to continue his efforts with the appropriate agencies of the United Nations and intergovernmental, governmental and non-governmental organizations, in order to consolidate and increase essential services to refugee returnees, displaced persons and demobilized former combatants."

11. At the same meeting, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of African States, informed the Committee that the draft resolution had been withdrawn by its sponsor.

C. Draft resolution A/C.3/48/L.23 and Rev.1 and proposed amendments to draft resolution A/C.3/48/L.23 contained in document A/C.3/48/L.29

12. At the 34th meeting, on 16 November, the representative of Azerbaijan, on behalf of Afghanistan, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Costa Rica, Cuba, Egypt, Ethiopia, Iran (Islamic Republic of), Jordan, Kuwait, Kyrgyzstan, Malaysia, Morocco, Pakistan, Saudi Arabia, Sierra Leone, Tajikistan, Turkey and Yemen, introduced a draft resolution entitled "Emergency international assistance to refugees and displaced persons in Azerbaijan" (A/C.3/48/L.23). The draft resolution read as follows:

"The General Assembly,

"Recalling Security Council resolutions 822 (1993) of 30 April 1993, 853 (1993) of 29 July 1993 and 874 (1993) of 14 October 1993, expressing the deep concern of the Security Council at the displacement of large numbers of civilians in the Azerbaijani Republic and at the serious humanitarian situation,

"Having considered the report of the United Nations High Commissioner for Refugees, 2/

"Recognizing the catalytic role the High Commissioner plays, together with the international community and development agencies, in the promotion of humanitarian aid and development with a view to finding durable and lasting solutions for refugees and displaced persons,

"Expressing its grave concern at the continuous deterioration of the humanitarian situation in Azerbaijan as a result of the displacement of large numbers of civilians,

"Welcoming the establishment by the Secretary-General of the United Nations interim office and the Office of the United Nations High Commissioner for Refugees in Azerbaijan and their efforts to coordinate needs assessment and to mobilize resources,

"Welcoming the consolidated United Nations inter-agency humanitarian programme for Azerbaijan for the period 1 July 1993-31 March 1994,

"Expressing its appreciation to the States and intergovernmental and non-governmental organizations that have responded positively and continue to respond to the humanitarian needs of Azerbaijan, and to the Secretary-General and United Nations bodies for mobilizing and coordinating the delivery of appropriate humanitarian assistance,

"Also expressing its appreciation to the Governments of the neighbouring States which provide the necessary humanitarian assistance, including the provision of accommodation and transit routes through their territories for the displaced persons from Azerbaijan,

"Noting with alarm that the humanitarian situation in Azerbaijan has continued to deteriorate seriously since the adoption of the Programme in June 1993,

"Deeply concerned that the number of refugees and displaced persons in Azerbaijan has recently exceeded one million, and is increasing further,

"Aware that the refugees and displaced persons are in a precarious situation, facing the threat of malnutrition and disease, and that appropriate external assistance is needed for the provision of foodstuffs, medical aid and the necessary shelter for the winter,

"Deeply concerned about the enormous burden the massive presence of refugees and displaced persons from the occupied areas has placed on the country's infrastructure,

"Affirming the urgent need to continue international action to assist Azerbaijan in providing shelter, medication and food to the refugees and displaced persons, especially to the most vulnerable groups,

"1. Welcomes with appreciation the efforts undertaken by the Secretary-General in drawing the attention of the international community to the acute problems of the Azerbaijani refugees and displaced persons and in mobilizing assistance to them;

"2. Urgently appeals to all States, organizations and programmes of the United Nations, specialized agencies and other intergovernmental and non-governmental organizations to provide, on a priority basis, adequate and sufficient financial, medical and material assistance to the Azerbaijani refugees and displaced persons;

"3. Invites the international financial institutions and specialized agencies, organizations and programmes of the United Nations system, where appropriate, to bring the special needs of the Azerbaijani refugees and displaced persons to the attention of their respective governing bodies for their consideration and to report the decisions of those bodies to the Secretary-General;

"4. Invites the Secretary-General to continue to monitor the overall situation of refugees and displaced persons in Azerbaijan, to make available his good offices, as required, and to report to the General Assembly at its forty-ninth session;

"5. Requests the United Nations High Commissioner for Refugees to continue her efforts with the appropriate United Nations agencies and intergovernmental, governmental and non-governmental organizations in order to consolidate and increase essential services to refugees and displaced persons in Azerbaijan;

"6. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the progress made in the implementation of the present resolution."

13. In introducing the draft resolution, the representative of Azerbaijan made the following revisions: in the first preambular paragraph, after the word "Recalling", the words "relevant paragraphs of" were added; in the second line, after the words "July 1993", the word "and" was deleted, and, after the words "14 October 1993", the words "and 884 (1993) of 12 November 1993" were inserted.

14. At the 34th meeting, on 16 November, the representative of Armenia introduced proposed amendments (A/C.3/48/L.29) to draft resolution A/C.3/48/L.23. The amendments read as follows:

(a) The title of draft resolution A/C.3/48/L.23 should read

International assistance to refugees and displaced persons in the Transcaucasian region - Armenia, Azerbaijan and Georgia

- (b) The first preambular paragraph should read

Recalling its relevant resolutions regarding humanitarian assistance to refugees and displaced persons,

- (c) In the fourth preambular paragraph, for Azerbaijan read the region
- (d) Delete the fifth and sixth preambular paragraphs
- (e) In the seventh preambular paragraph, for Azerbaijan read the region
- (f) In the eighth preambular paragraph, for Azerbaijan read Armenia, Azerbaijan and Georgia
- (g) Delete the ninth and tenth preambular paragraphs
- (h) The twelfth preambular paragraph should read:

Deeply concerned about the enormous burden the massive presence of refugees and displaced persons in the region has placed on the countries' infrastructures,

- (i) In the thirteenth preambular paragraph, for Azerbaijan read Armenia, Azerbaijan and Georgia
- (j) In operative paragraph 1, for Azerbaijani refugees and displaced persons read refugees and displaced persons of the region
- (k) In operative paragraph 2, delete on a priority basis, and for Azerbaijani refugees and displaced persons, read refugees and displaced persons of the region;
- (l) In operative paragraph 3, for Azerbaijani refugees and displaced persons read refugees and displaced persons of the Transcaucasian region
- (m) Operative paragraph 4 should read

Invites the Secretary-General to continue to monitor the overall situation on refugees and displaced persons in the region;

- (n) In operative paragraph 5, for Azerbaijan read the region.

15. At the 38th meeting, on 19 November, the Chairman informed the Committee that the proposed amendments to draft resolution A/C.3/48/L.23 contained in document A/C.3/48/L.29 had been withdrawn by the sponsor.

16. At the 39th meeting, on 22 November, the representative of Azerbaijan, on behalf of Afghanistan, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Costa Rica, Cuba, Egypt, Ethiopia, Guinea-Bissau, Iran (Islamic Republic of), Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Malaysia, Morocco, Pakistan, the Republic of Moldova, Saudi Arabia, Sierra Leone, Tajikistan, Turkey, Ukraine and Yemen,

introduced a revised draft resolution (A/C.3/48/L.23/Rev.1). Subsequently, Belarus and Senegal joined in sponsoring the revised draft resolution.

17. At the same meeting, the Committee adopted revised draft resolution A/C.3/48/L.23/Rev.1 without a vote (see para. 31, draft resolution II).

18. After the adoption of the revised draft resolution, the representative of Belgium made a statement on behalf of the European Union.

D. Draft resolution A/C.3/48/L.24

19. At the 33rd meeting, on 15 November, the representative of Argentina, on behalf of Argentina, Belgium, Hungary, Japan, the Philippines and Tunisia, introduced a draft resolution entitled "Enlargement of the Executive Committee of the Programme of the High Commissioner for Refugees" (A/C.3/48/L.24).

20. At the 38th meeting, on 19 November, the Committee adopted the draft resolution entitled "Enlargement of the Executive Committee of the Programme of the High Commissioner for Refugees" without a vote (see para. 31, draft resolution III).

21. At the same meeting, after the adoption of the draft resolution, the representative of Costa Rica made a statement, in which she indicated that she would have liked to have sponsored the draft resolution.

E. Draft resolution A/C.3/48/L.26

22. At the 33rd meeting, on 15 November, the representative of Finland, on behalf of Albania, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Brazil, Bulgaria, Cameroon, Canada, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Ethiopia, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kenya, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Morocco, Mozambique, Namibia, the Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, the Philippines, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Rwanda, San Marino, Slovenia, Solomon Islands, Spain, the Sudan, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Uruguay and Venezuela, introduced a draft resolution entitled "Office of the United Nations High Commissioner for Refugees" (A/C.3/48/L.26). Subsequently, Afghanistan, Angola, Belarus, Chile, El Salvador, Guyana, Malawi, the Niger, Senegal, the former Yugoslav Republic of Macedonia and Yemen joined in sponsoring the revised draft resolution.

23. In introducing the draft resolution, the representative of Finland made the following oral revisions:

(a) After the sixth preambular paragraph, the following new paragraph was added:

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"Also noting with satisfaction the participation of the United Nations High Commissioner for Refugees in the commemorations of the anniversary of the Cartagena Declaration and the Organization of African Unity Convention on Refugees,";

(b) In the tenth preambular paragraph, after the word "misuse", the words "by individuals" were added;

(c) At the end of operative paragraph 4, the words "for eligible persons" were added;

(d) A new operative paragraph 13 was added, as follows:

"13. Reaffirms the importance of incorporating environmental considerations into the programmes of the Office of the High Commissioner, especially in the least developed countries, in view of the impact on the environment of the large numbers of refugees and displaced persons of concern to the High Commissioner;".

The subsequent operative paragraphs were renumbered accordingly.

24. At the 38th meeting on 19 November, the Committee adopted draft resolution A/C.3/48/L.26, as orally revised (see para. 31, draft resolution IV).

F. Draft resolution A/C.3/48/L.27

25. At the 33rd meeting, on 15 November, the representative of El Salvador, on behalf of Bolivia, Costa Rica, Croatia, Egypt, El Salvador, Guatemala, Honduras, Mexico, Morocco, Nicaragua, Peru, Uruguay and Venezuela, introduced a draft resolution entitled "International Conference on Central American Refugees" (A/C.3/48/L.27). Subsequently, Argentina, Belize, Chile, Colombia, Cuba, Ecuador, Finland, France, Greece, Guyana, Italy, Jamaica, Norway, Panama, Spain, Suriname and Sweden joined in sponsoring the draft resolution.

26. At the 38th meeting, on 19 November, the Committee adopted draft resolution A/C.3/48/L.27 (see para. 31, draft resolution V).

G. Draft resolution A/C.3/48/L.28

27. At the 33rd meeting, on 15 November, the representative of Algeria, on behalf of the States Members of the United Nations that are members of the Group of African States introduced a draft resolution entitled "Assistance to refugees, returnees and displaced persons in Africa" (A/C.3/48/L.28).

28. In introducing the draft resolution, the representative of Algeria made the following revisions:

(a) In the fourteenth preambular paragraph, the wording "mechanism of prevention" was replaced with "mechanism for conflict prevention", and the words "repatriation of refugees" were replaced with the word "resolution";

(b) In the seventeenth preambular paragraph, the wording "Djibouti, which is suffering from prolonged drought and the negative impact of the critical situation in" was inserted in the last line after the words "social situation in".

29. At the 38th meeting, on 19 November, the Committee adopted draft resolution A/C.3/48/L.28, as orally revised, without a vote (see para. 31, draft resolution VI).

30. After the adoption of the revised draft resolution, the representative of the United States of America made a statement.

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

31. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Convening of a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants

The General Assembly,

Recalling the 1951 Convention 3/ and 1967 Protocol 4/ relating to the Status of Refugees,

Taking into consideration the complexity and urgency of the crisis of global refugees and the need for the international community to adopt a comprehensive approach for the coordination of action with regard to refugees, returnees, displaced persons and migrants,

Noting that the International Conference on Population and Development, to be held at Cairo in September 1994, will address matters related to refugees, displaced persons and migrants,

Welcoming the continued work of the Representative of the Secretary-General on internally displaced persons,

Recognizing the need to develop innovative strategies, mechanisms and decisions in this field,

3/ United Nations, Treaty Series, vol. 189, No. 2545.

4/ Ibid., vol. 606, No. 8791.

1. Takes note of the proposal to convene a United Nations conference for the comprehensive consideration and review of the problems of refugees, returnees, displaced persons and migrants;

2. Invites all Member States, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations and non-governmental organizations concerned to undertake reviews and submit recommendations to the Secretary-General with regard to the appropriateness of convening such a conference, taking into consideration, inter alia, the deliberations of the Cairo Conference, as well as the work of the Representative of the Secretary-General;

3. Requests the Secretary-General to submit to the General Assembly at its forty-ninth session a report on the contributions received pursuant to paragraph 2 of the present resolution.

DRAFT RESOLUTION II

Emergency international assistance to refugees and displaced persons in Azerbaijan

The General Assembly,

Recalling its relevant resolutions regarding humanitarian assistance to refugees and displaced persons,

Having considered the report of the United Nations High Commissioner for Refugees, 5/

Recognizing the catalytic role that the High Commissioner plays, together with the international community and development agencies, in the promotion of humanitarian aid and development with a view to finding durable and lasting solutions for refugees and displaced persons,

Expressing its grave concern at the continuing deterioration of the humanitarian situation in Azerbaijan owing to the displacement of large numbers of civilians,

Welcoming the efforts made by the United Nations interim office and the Office of the United Nations High Commissioner for Refugees in Azerbaijan to coordinate the needs assessment and the provision of humanitarian assistance,

Welcoming also the consolidated United Nations inter-agency humanitarian programme for Azerbaijan for the period 1 July 1993 to 31 March 1994,

Expressing its appreciation to the States and intergovernmental and non-governmental organizations that have responded positively and continue to respond to the humanitarian needs of Azerbaijan, and to the Secretary-General

and United Nations bodies for mobilizing and coordinating the delivery of appropriate humanitarian assistance,

Also expressing its appreciation to the Governments of the neighbouring States that provide the necessary humanitarian assistance, including the provision of accommodation and transit routes through their territories for the displaced persons from Azerbaijan,

Noting with alarm that the humanitarian situation in Azerbaijan has continued to deteriorate seriously since the adoption of the programme in June 1993, and that the number of refugees and displaced persons in Azerbaijan has recently exceeded one million,

Aware that the refugees and displaced persons are in a precarious situation, facing the threat of malnutrition and disease, and that appropriate external assistance is needed for the provision of foodstuffs, medical aid and the necessary shelter for the winter,

Deeply concerned about the enormous burden that the massive presence of refugees and displaced persons has placed on the country's infrastructure,

Affirming the urgent need to continue international action to assist Azerbaijan in providing shelter, medication and food to the refugees and displaced persons, especially to the most vulnerable groups,

1. Welcomes with appreciation the efforts undertaken by the Secretary-General in drawing the attention of the international community to the acute problems of the Azerbaijani refugees and displaced persons and in mobilizing assistance for them;
2. Urgently appeals to all States, organizations and programmes of the United Nations, specialized agencies and other intergovernmental and non-governmental organizations to provide adequate and sufficient financial, medical and material assistance to the Azerbaijani refugees and displaced persons;
3. Invites the international financial institutions and the specialized agencies, organizations and programmes of the United Nations system, where appropriate, to bring the special needs of the Azerbaijani refugees and displaced persons to the attention of their respective governing bodies for their consideration and to report on the decisions of those bodies to the Secretary-General;
4. Invites the Secretary-General to continue to monitor the overall situation of refugees and displaced persons in Azerbaijan and to make available his good offices as required;
5. Requests the United Nations High Commissioner for Refugees to continue her efforts with the appropriate United Nations agencies and intergovernmental, governmental and non-governmental organizations, in order to consolidate and increase essential services to refugees and displaced persons in Azerbaijan;

6. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the progress made in the implementation of the present resolution.

DRAFT RESOLUTION III

Enlargement of the Executive Committee of the Programme of the High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 1993/315 of 29 July 1993 concerning the enlargement of the Executive Committee of the Programme of the High Commissioner for Refugees,

Taking note also of the note verbale dated 3 June 1993 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General relating to the enlargement of the Executive Committee, 6/

1. Decides to increase the number of members of the Executive Committee of the Programme of the High Commissioner for Refugees from forty-six to forty-seven States;

2. Requests the Economic and Social Council to elect an additional member at its resumed organizational session in 1994.

DRAFT RESOLUTION IV

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office, 7/ as well as the report of the Executive Committee of the Programme of the High Commissioner on the work of its forty-fourth session, 8/ and taking note of the statement made by the High Commissioner on 4 November 1993, 9/

Recalling its resolution 47/105 of 16 December 1992,

Reaffirming the purely humanitarian and non-political character of the activities of the Office of the High Commissioner, as well as the crucial

6/ E/1993/88.

7/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 12 (A/48/12).

8/ Ibid., Supplement No. 12A (A/48/12/Add.1).

9/ Ibid., Forty-eighth Session, Third Committee, 23rd meeting.

importance of the High Commissioner's functions of providing international protection to refugees and seeking solutions to refugee problems,

Welcoming the Vienna Declaration and Programme of Action of the World Conference on Human Rights, 10/ particularly as it reaffirms the right to seek and enjoy asylum, and the right to return to one's country,

Commending the High Commissioner and her staff for the dedicated manner in which they discharge their responsibilities, and paying special tribute to those staff members who have lost their lives in the course of their duties,

Noting with satisfaction that one hundred and twenty-three States are now parties to the 1951 Convention 11/ and/or the 1967 Protocol 12/ relating to the Status of Refugees,

Also noting with satisfaction the participation of the United Nations High Commissioner for Refugees in the commemorations of the anniversary of the Cartagena Declaration on Refugees of 1984 13/ and the Convention on Refugees of the Organization of African Unity of 1969, 14/

Welcoming the continuing strong commitment of States to provide protection and assistance to refugees and the valuable support extended by Governments to the High Commissioner in carrying out her humanitarian tasks,

Commending those States, particularly the least developed and those serving as host to millions of refugees, that, despite severe economic and development challenges of their own, continue to admit large numbers of refugees into their territories, and emphasizing the need to share the burden of those States to the maximum extent possible through international assistance, including development-oriented assistance,

Noting with concern that the number of refugees and other persons to whom the Office of the High Commissioner is called upon to provide assistance and protection has continued to increase and that their protection continues to be seriously jeopardized in many situations as a result of denial of admission, unlawful expulsion, refoulement, unjustified detention, other threats to their physical security, dignity and well-being and failure to respect and ensure their fundamental freedoms and human rights,

10/ A/CONF.157/23.

11/ United Nations, Treaty Series, vol. 189, No. 2545.

12/ Ibid., vol. 606, No. 8791.

13/ International Journal of Refugee Law, vol. 3, No. 2 (April 1991).

14/ The 1969 Convention Governing the Specific Aspects of the Problem of Refugees in Africa of the Organization of African Unity.

Recognizing that, in certain regions, the misuse by individuals of asylum procedures jeopardizes the institution of asylum and adversely affects the prompt and effective protection of refugees,

Emphasizing the need for States to assist the High Commissioner in seeking durable and timely solutions to the problems of refugees, as well as to take part in efforts to prevent conditions that might give rise to the flight of refugees, and to address the root causes of refugee outflows, and underlining, in this connection, State responsibility, particularly as it relates to countries of origin,

Welcoming the continuing efforts of the High Commissioner to meet the protection and assistance needs of refugee women and refugee children, who constitute the majority of the world's refugee population and who are often exposed to serious threats to their safety and well-being,

Recognizing the increased demands faced by the Office of the United Nations High Commissioner for Refugees world wide and the need for all available resources to be fully and effectively mobilized to meet those demands,

1. Strongly reaffirms the fundamental importance of the High Commissioner's function of providing international protection to refugees and the need for States to cooperate fully with her Office in order to facilitate the effective exercise of this function;

2. Calls upon all States that have not yet done so, including Governments of newly independent States, to accede to or to declare succession to and to implement fully the 1951 Convention 11/ and the 1967 Protocol 12/ relating to the Status of Refugees and relevant regional instruments for the protection of refugees;

3. Also calls upon all States to uphold asylum as an indispensable instrument for the international protection of refugees, and to respect scrupulously the fundamental principle of non-refoulement;

4. Urges States to ensure access, consistent with relevant international and regional instruments, for all asylum-seekers to fair and efficient procedures for the determination of refugee status and the granting of asylum for eligible persons;

5. Expresses deep concern regarding serious threats to the security of the well-being of refugees, including incidents of refoulement, unlawful expulsion, physical attacks and detention under unacceptable conditions, and calls upon States to take all measures necessary to ensure respect for the principles of refugee protection as well as the humane treatment of asylum-seekers in accordance with internationally recognized human rights norms;

6. Endorses, in this connection, the conclusions on the personal security of refugees and on refugee protection and sexual violence adopted by the Executive Committee of the Programme of the High Commissioner at its forty-fourth session; 8/

7. Welcomes the High Commissioner's policy on refugee children and the activities undertaken to ensure its implementation, aimed at ensuring that the specific needs of refugee children, including in particular unaccompanied minors, are fully met within the overall protection and assistance activities of the Office, in cooperation with Governments and other relevant organizations;

8. Acknowledges with appreciation the further progress made in the implementation of measures within the framework of the High Commissioner's programme to ensure the protection and to meet the assistance needs of refugee women and girls, in accordance with the High Commissioner's policy on refugee women;

9. Stresses the importance of international solidarity and burden-sharing in reinforcing the international protection of refugees, and urges all States, as well as non-governmental organizations, in conjunction with the Office of the United Nations High Commissioner for Refugees, to cooperate in efforts to lighten the burden borne by States that have received large numbers of asylum-seekers and refugees;

10. Urges all States and relevant organizations to support the High Commissioner's search for durable solutions to refugee problems, including voluntary repatriation, integration in the country of asylum and resettlement in a third country, as appropriate, and welcomes in particular the ongoing efforts of her Office to pursue wherever possible opportunities to promote conditions conducive to the preferred solution of voluntary repatriation;

11. Encourages the High Commissioner, on the basis of her broad humanitarian experience and expertise, to continue to explore and to undertake protection and assistance activities aimed at preventing conditions that give rise to refugee outflows, bearing in mind fundamental protection principles, in close coordination with the Governments concerned, and within an inter-agency, intergovernmental and non-governmental framework, as appropriate;

12. Reaffirms its support for the High Commissioner's efforts, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the concerned State, and taking into account the complementarities of the mandates and expertise of other relevant organizations, to provide humanitarian assistance and protection to persons displaced within their own country in specific situations calling for the Office's particular expertise, especially where such efforts could contribute to the prevention or solution of refugee problems;

13. Reaffirms the importance of incorporating environmental considerations into the programmes of the Office of the High Commissioner, especially in the least developed countries, in view of the impact on the environment of the large numbers of refugees and displaced persons of concern to the High Commissioner;

14. Recognizes the need for the international community to explore methods and means better to address within the United Nations system the protection and assistance needs of internally displaced persons, and calls upon the High Commissioner to engage actively in further consultations on this priority issue with the Department of Humanitarian Affairs of the Secretariat and the Special

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Representative of the Secretary-General on internally displaced persons, and with other appropriate international organizations and bodies, including the International Committee of the Red Cross;

15. Also recognizes the value of addressing prevention, protection and solutions on a comprehensive regional basis, and encourages the High Commissioner to consult with States, other relevant United Nations bodies and governmental, intergovernmental and non-governmental organizations, concerning possibilities for additional measures and initiatives in areas affected by complex humanitarian problems involving coerced population movements;

16. Reaffirms the importance of promoting and disseminating refugee law and principles for the protection of refugees as well as of facilitating the prevention of and solutions to refugee problems, and encourages the High Commissioner to continue to strengthen the promotion and training activities of her Office, inter alia, through increased cooperation with bodies and organizations concerned with human rights and humanitarian law;

17. Urges States, the Office of the High Commissioner and non-governmental organizations to pursue their efforts to foster greater public understanding and acceptance of people of different backgrounds and cultures, with a view to dispelling hostile, racist or xenophobic attitudes and other forms of intolerance towards foreigners, including refugees and asylum-seekers, displaced people and persons belonging to minorities;

18. Notes the relationship between safeguarding human rights and preventing refugee problems, and reiterates its support for the High Commissioner's efforts to increase cooperation between her Office and the Commission on Human Rights, the Centre for Human Rights and other relevant international bodies and organizations;

19. Welcomes the further progress made by the High Commissioner in enhancing the capacity of her Office to respond to humanitarian emergencies and encourages her to provide full support to the coordination role of the Emergency Relief Coordinator, especially in major and complex emergencies;

20. Encourages the High Commissioner to continue to cooperate fully, including within the framework of the Inter-Agency Standing Committee, with United Nations agencies, intergovernmental organizations and non-governmental organizations, in order to ensure an effective response to complex emergency situations;

21. Welcomes the establishment by the High Commissioner of the Partnership in Action Process in conjunction with the International Council of Voluntary Agencies as a means of strengthening and improving collaboration between the Office of the United Nations High Commissioner for Refugees and non-governmental organizations in meeting greatly increased demands, expresses its support for the process of consultations through regional preparatory meetings as well as for the global conference in Oslo in June 1994 and invites Governments to provide financial support to this important initiative;

22. Expresses deep concern at conditions in a number of countries and regions that seriously endanger the delivery of humanitarian assistance and the security of the staff of the High Commissioner and other relief workers, deplores the recent loss of lives among personnel involved in humanitarian operations, urges support for initiatives taken by the High Commissioner and within the General Assembly and the Security Council concerning the safety of United Nations and associated personnel, in particular the consideration of new measures to enhance the safety of such personnel, and calls upon States and all parties to conflicts to take all necessary measures to ensure safe and timely access for humanitarian assistance and the security of international and local staff undertaking humanitarian work in the countries concerned;

23. Calls upon all Governments and other donors to contribute to the programmes of the High Commissioner and, taking into account the need to achieve greater burden-sharing among donors, to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector in order to ensure that the needs of refugees, returnees and displaced persons of concern to the Office of the High Commissioner are met.

DRAFT RESOLUTION V

International Conference on Central American Refugees

The General Assembly,

Recalling its resolutions 42/1 of 7 October 1987, 42/110 of 7 December 1987, 42/204 of 11 December 1987, 42/231 of 12 May 1988, 43/118 of 8 December 1988, 44/139 of 15 December 1989, 45/141 of 14 December 1990, 46/107 of 16 December 1991 and 47/103 of 16 December 1992,

Bearing in mind that the International Conference on Central American Refugees is related to the initiative of the Central American Presidents expressed in the procedure for the establishment of a firm and lasting peace in Central America, signed at the Esquipulas II summit meeting on 7 August 1987, 15/

Bearing in mind that the Central American Presidents, at the fourteenth summit meeting, held on 28 and 29 October 1993, expressing the need to continue the transition from humanitarian assistance to development cooperation, decided to call upon the international community to continue its support for humanitarian and development programmes benefiting uprooted populations, especially the International Conference on Central American Refugees, which has carried out valuable work in that area,

Recognizing the importance and validity of the Declaration and the Concerted Plan of Action in favour of Central American Refugees, Returnees and Displaced Persons, adopted at the International Conference on Central American

15/ A/42/521-S/19085, annex. For the printed text, see Official Records of the Security Council, Forty-second Year, Supplement for July, August and September 1987, document S/19085.

Refugees held at Guatemala City from 29 to 31 May 1989 16/ and the Declaration and communiqué of the First and Second International Meetings of the Follow-Up Committee of the Conference, 17/ respectively,

Taking note of the outcome of the meetings of the Follow-Up Committee of the International Conference on Central American Refugees, held at San José on 2 and 3 April 1991, at San Pedro Sula, Honduras, from 17 to 19 June 1991, at Tegucigalpa on 13 and 14 August 1991, at Managua on 25 and 26 October 1991, at San Salvador on 7 and 8 April 1992 and at Managua on 29 September and 28 October 1992,

Taking note also of the report of the Follow-Up Committee of the Conference, submitted to the Executive Committee of the Office of the United Nations High Commissioner for Refugees at its forty-fourth session, concerning the implementation of the Concerted Plan of Action,

Noting with satisfaction the efforts being made by the Central American countries, Belize and Mexico, to find lasting solutions to the problems of the refugees, returnees and displaced persons in implementing the aims and objectives of the Concerted Plan of Action as an integral part of efforts to achieve a firm and lasting peace and democratization of the region,

Welcoming with satisfaction the progress made in El Salvador in achieving the consolidation of peace in that country, in accordance with the peace agreements and the National Reconstruction Plan, the efforts to achieve peace and reconciliation in Guatemala, and the efforts made in Nicaragua to achieve the objectives of national reconciliation and to assist the uprooted populations, all of which continue to encourage movements of voluntary repatriation and settlement of internally displaced persons,

Bearing in mind the joint political and economic communiqué adopted at the "San José IX" Interministerial Summit between the countries of the European Community and Central America, held at San Salvador on 22 and 23 February 1993, and the Final Declaration of the fourteenth summit meeting of Central American Presidents, held at Guatemala City from 27 to 29 October 1993, in which the need for international support for the programmes carried out within the framework of the Conference was reaffirmed,

Recognizing the substantial support that, inter alia, the Secretary-General, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme, the donor community and national and international non-governmental organizations have given the Conference since its inception,

Recognizing that the extension of the duration of the Concerted Plan of Action until May 1994 has enabled substantial progress to be made in the efforts to achieve the proposed objectives and aims,

16/ A/44/527 and Corr.1 and 2, annex.

17/ CIREFCA/CS/90/10 and CIREFCA/CS/92/11.

Taking note of the transfer, on 10 July 1993, of the lead-agency role from the Office of the United Nations High Commissioner for Refugees to the United Nations Development Programme in order to strengthen the Concerted Plan of Action,

Convinced that peace, development and democracy are essential in order to solve the problems of uprooted populations in the region,

1. Takes note of the reports submitted by the Secretary-General 18/ and the United Nations High Commissioner for Refugees; 19/

2. Notes with satisfaction the progress achieved in the implementation of programmes and projects within the framework of the International Conference on Central American Refugees, and expresses its appreciation to the Office of the United Nations High Commissioner for Refugees and the United Nations Development Programme for their substantial support to the process, and for the invaluable contribution of non-governmental organizations;

3. Urges the Central American countries, Belize and Mexico, to continue to implement and follow up the programmes benefiting refugees, returnees and displaced persons in accordance with their national development plans;

4. Reaffirms its conviction that the voluntary repatriation of refugees and the return of displaced persons to their countries or communities of origin continues to be a positive sign of the progress of peace in the region;

5. Also reaffirms its conviction that the processes of return to and reintegration in the countries and communities of origin should continue to take place in conditions of dignity and security and with the necessary guarantees to ensure that the affected populations are included in the respective national development plans;

6. Supports the special attention that the Central American countries, Belize and Mexico, are giving to the particular needs of refugee, repatriated and displaced women and children and to the measures being adopted to protect and improve the environment and to preserve ethnic and cultural values;

7. Requests the Secretary-General, the Office of the United Nations High Commissioner for Refugees, the United Nations Development Programme and other organs of the United Nations system to continue their support for and involvement in the follow-up, implementation and evaluation of the humanitarian programmes developed within the framework of the Conference process;

8. Emphasizes the importance of ensuring, upon the conclusion of the Conference process in May 1994, that the needs of refugees, returnees and displaced persons are specifically reflected in a comprehensive and sustained

18/ A/48/391.

19/ See Official Records of the General Assembly, Forty-eighth Session, Supplement Nos. 12 and 12A (A/48/12 and Add.1).

concept of human development, and that the United Nations Development Programme, with the collaboration of the United Nations High Commissioner for Refugees, continues to support this approach in the post-Conference strategy;

9. Expresses its conviction that the work carried out through the integrated Conference process could serve as a valuable lesson to be applied in other regions of the world;

10. Appeals to the international community, particularly to the donor countries, to continue to strengthen their generous support for the Conference so as to consolidate the aims and objectives set at the Conference, and to continue to provide their valuable cooperation in the financing and implementation of the social and humanitarian programmes proposed for the period of transition to development, their own development programmes and those programmes relating to environmental protection which are designed to meet the needs of the uprooted populations;

11. Requests the Secretary-General to submit to the General Assembly at its forty-ninth session a report on the Conference process, including an analysis of achievements, obstacles and pending tasks.

DRAFT RESOLUTION VI

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 47/107 of 16 December 1992,

Having considered the reports of the Secretary-General 20/ and the United Nations High Commissioner for Refugees, 21/

Bearing in mind that most of the affected countries are least developed countries,

Convinced of the necessity to strengthen the capacity within the United Nations system for the implementation and overall coordination of relief programmes for refugees, returnees and displaced persons,

Welcoming the prospects for voluntary repatriation and durable solutions across the continent,

20/ A/48/444.

21/ Official Records of the General Assembly, Forty-eighth Session, Supplement Nos. 12 and 12A (A/48/12 and Add.1).

Recognizing the need for States to create conditions conducive to the prevention of flows of refugees and displaced persons and to voluntary repatriation,

Bearing in mind that the majority of refugees and displaced persons are women and children,

Noting with appreciation the commitment of the countries concerned to do their utmost to facilitate the provision of assistance to the affected populations and to take the necessary measures in this regard,

Realizing the importance of assisting the host countries, in particular those countries that have been hosting refugees for a long time, to remedy environmental deterioration and the negative impact on public services and the development process,

Recognizing the mandate of the High Commissioner to protect and assist refugees and returnees and the catalytic role she plays, together with the international community and development agencies, in addressing the broader issues of development relating to refugees, returnees and displaced persons,

Bearing in mind the necessity of facilitating the work of humanitarian organizations, in particular the supply of food, medicine and health care to refugees, returnees and displaced persons, deploring acts of aggression against personnel of humanitarian organizations, particularly those that have led to the loss of life, and stressing the need to guarantee the safety of the personnel of those organizations,

Deeply concerned about the continuing critical humanitarian situation in African countries, in particular in the Horn of Africa, caused by persistent drought, conflict and population movements,

Conscious of the situation of the refugees, returnees and displaced persons in East and Central Africa,

Welcoming regional efforts, such as the mechanism for conflict prevention and management resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-ninth ordinary session, held at Cairo, Egypt, from 28 to 30 June 1993, 22/

Taking into account resolution CM/Res.1448(LVIII) on refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its fifty-eighth ordinary session, held at Cairo, Egypt, from 21 to 26 June 1993, 23/

Deeply concerned by the massive presence of refugees and externally displaced persons in Djibouti, which represents 25 per cent of the total

22/ A/48/322, annex II.

23/ Ibid., annex I.

population of the country, and by their uninterrupted influx owing to the tragic situation in Somalia,

Deeply concerned also by the serious consequences of the presence of refugees and externally displaced persons for the already difficult economic and social situation in Djibouti, which is suffering from prolonged drought and the negative impact of the critical situation in the Horn of Africa,

Recognizing the fact that more than half of the refugees and externally displaced persons in Djibouti are located in Djibouti City in most serious difficulties and without direct international assistance, exerting an intolerable pressure on the limited resources of the country and the social infrastructure and causing in particular, serious problems of security,

Also recognizing the need for cooperation between the Government of Djibouti and the High Commissioner for Refugees and relevant organizations to find alternative solutions for the problem of refugees in Djibouti City and to be able to mobilize the necessary external assistance to meet their specific needs,

Aware of the fact that the refugee population in the refugee camps throughout Djibouti is in a precarious situation, facing the threat of famine, malnutrition and disease, and that it needs adequate external assistance for the provision of foodstuff, medical assistance and the necessary infrastructure for shelter,

Aware also of the fact that Eritrea has been devastated by a thirty-year war, which ended in May 1991, and repeated droughts over the years, that its economy and resources have been destroyed and that it is starting anew,

Recognizing the massive task facing Eritrea of repatriating over one half million refugees, particularly from the Sudan, through its programme for refugee reintegration, rehabilitation of resettlement areas in Eritrea and resettling voluntary returnees already in the country, internally displaced persons and demobilized former combatants and the enormous burden that they have placed on the Government of Eritrea,

Recognizing also the need for cooperation between the Government of Eritrea and the Department of Humanitarian Affairs of the Secretariat and relevant organizations to be able to mobilize the necessary international assistance to put the programmes of human resettlement into action in Eritrea,

Deeply concerned about the massive presence of refugees, voluntary returnees, displaced persons and demobilized soldiers in Ethiopia and the enormous burden that this has placed on the country's infrastructure and meagre resources,

Deeply concerned also about the grave consequences this has entailed for Ethiopia's capability to grapple with the effects of the prolonged drought and rebuild the country's economy,

Aware of the heavy burden placed on the Government of Ethiopia and of the need for immediate and adequate assistance to refugees, voluntary returnees, displaced persons, demobilized soldiers and victims of natural disasters,

Deeply concerned about the burden that has been placed on the Government and people of Kenya because of the influx of refugees from the strife and famine that have stricken neighbouring countries and the infiltration of armed bandits and highly dangerous and illegal weapons from the situation obtaining in Somalia,

Aware of the need to improve the security situation in the region, particularly in the border areas, for the safety of the refugees, local community and personnel involved in humanitarian activities,

Recognizing the great contribution and sacrifices that the Government of Kenya has made and continues to make in dealing with this situation, while facing deteriorating conditions caused by the impact of the persistent drought that has affected and continues to affect its own population,

Emphasizing the importance and necessity of continuing assistance to the over 400,000 estimated refugees and displaced persons in Kenya until such time as this situation has changed,

Deeply concerned about the tragic impact that the civil war in Somalia continues to have on the lives of its people, affecting four to five million people who are either refugees in neighbouring countries or internally displaced and are in need of urgent humanitarian assistance,

Aware that the voluntary repatriation of large numbers of Somali refugees in neighbouring countries and elsewhere, as well as the return of internally displaced persons to their original homes, will still require a planned and integrated international assistance programme designed to cover their basic needs, ensure adequate reception arrangements and facilitate their smooth integration into their respective communities,

Convinced that it is necessary that humanitarian assistance to Somali refugees, returnees and displaced persons be mobilized urgently and delivered without delay in view of the deteriorating situation of the displaced persons and returnees and the mounting pressure the refugees continue to place on the host countries,

Appealing to the Somalis to implement the Addis Ababa agreement on national reconciliation that the Somali leaders signed on 27 March 1993 in order to create an environment conducive to the repatriation of Somali refugees from the neighbouring countries,

Recognizing the fact that the Sudan has been hosting large numbers of refugees over an extended period of time,

Aware of the economic difficulties facing the Government of the Sudan, and the need for adequate assistance for the refugees and displaced persons in the Sudan and the rehabilitation of the areas in which they are located,

Encouraging the Government of the Sudan and the Office of the High Commissioner for the efforts they have undertaken for the voluntary repatriation of the large numbers of refugees to their homelands,

Deeply concerned about the plight of Sudanese refugees children, particularly the problem of unaccompanied minors, and emphasizing the need for their protection, well-being and reunification with their families,

Considering that the repatriation and reintegration of returnees and the relocation of displaced persons are aggravated by natural disasters and that the process poses serious humanitarian, social and economic problems to the Government of Chad,

Cognizant of the appeal to Member States and intergovernmental and non-governmental organizations to continue to provide the necessary assistance to the Government of Chad to alleviate its problems and improve its abilities to implement the programme of repatriation, reintegration and relocation of voluntary returnees and displaced persons,

Noting with appreciation the continuing efforts of the Economic Community of West African States and the Organization of African Unity to restore peace, security and stability in Liberia, and the signing on 25 July 1993 of the Cotonou Peace Agreement between the Interim Government of National Unity of Liberia, the National Patriotic Front of Liberia and the United Liberation Movement of Liberia for Democracy, 24/ as well as the establishment of the United Nations Observer Mission in Liberia, aimed at bringing an end to the conflict,

Deeply concerned about the influx of internally displaced persons, returnees and refugees to Monrovia and the enormous burden this has placed on the infrastructure and fragile economy of the country,

Also deeply concerned that, despite the efforts made to provide the necessary material and financial assistance for the refugees, returnees and displaced persons, the situation remains unsettled and has serious implications for the long-term national development of Liberia, as well as for those West African countries hosting Liberian refugees,

Bearing in mind the continuing need to provide emergency humanitarian assistance to Liberian refugees, returnees and displaced persons, since the security situation is not yet propitious for the conduct of large-scale voluntary repatriation and reintegration,

Recognizing the heavy burden placed on the people and Government of Malawi and the sacrifices they are making in caring for refugees, given the country's limited social services and infrastructure, and the need for adequate international assistance to Malawi to enable it to continue its efforts to provide assistance to the refugees,

Gravely concerned about the continuing serious social, economic and environmental impact of the massive presence of refugees in Malawi, as well as its far-reaching consequences for the long-term development process and environmental effects,

Bearing in mind the findings and recommendations of the 1991 inter-agency mission to Malawi, particularly on the need to strengthen the country's socio-economic infrastructure in order to enable it to provide for the immediate humanitarian relief requirements of the refugees as well as on the long-term national development needs of the country,

Convinced that, because of the serious economic situation and, in particular, because of the effect of devastating drought in southern Africa, there is continued need for the international community to extend maximum and concerted assistance to southern African countries sheltering refugees, returnees and displaced persons,

Welcoming with appreciation the ongoing activities of the High Commissioner for the voluntary repatriation and reintegration of South African returnees, and hoping that the obstacles to the return of all refugees and exiles in conditions of safety and dignity will be removed without delay,

Recognizing the need to integrate refugee-related development projects in local and national development plans,

1. Takes note of the reports of the Secretary-General 18/ and the High Commissioner for Refugees; 19/
2. Commends the Governments concerned for their sacrifices, for providing assistance to refugees, returnees and displaced persons and for their efforts to promote voluntary repatriation and other measures taken in order to find appropriate and lasting solutions;
3. Expresses deep concern at the serious and far-reaching consequences of the presence of large numbers of refugees and displaced persons in the countries concerned and the implications for the security environment and their long-term socio-economic development;
4. Expresses its appreciation to the Secretary-General, the High Commissioner for Refugees, the specialized agencies of the United Nations, the International Committee of the Red Cross, donor countries and intergovernmental and non-governmental organizations for their assistance in mitigating the plight of the large number of refugees, returnees and displaced persons;
5. Expresses the hope that additional resources will be made available for general refugee programmes to keep pace with refugee needs;
6. Appeals to Member States, international organizations and non-governmental organizations to provide adequate and sufficient financial, material and technical assistance for relief and rehabilitation programmes for the large number of refugees, voluntary returnees and displaced persons and victims of natural disasters and to the affected countries;

7. Requests all Governments and intergovernmental and non-governmental organizations to pay particular attention to the protection of special needs of refugee women and children;

8. Calls upon the Secretary-General, the High Commissioner for refugees, the Department of Humanitarian Affairs of the Secretariat and United Nations humanitarian agencies to continue their efforts to mobilize humanitarian assistance for the relief, repatriation, rehabilitation and resettlement of refugees, returnees and displaced persons, including those refugees in urban areas;

9. Requests the Secretary-General to continue his efforts to mobilize adequate financial and material assistance for the full implementation of ongoing projects in rural and urban areas affected by the presence of refugees, returnees and displaced persons;

10. Requests the High Commissioner to continue her efforts with the appropriate United Nations agencies, the Organization of African Unity and intergovernmental, governmental and non-governmental organizations in order to consolidate and increase essential services to refugees, returnees and displaced persons;

11. Requests the Secretary-General to submit a comprehensive and consolidated report on the situation of refugees, returnees and displaced persons in Africa to the General Assembly at its forty-ninth session, under the item entitled "Report of the High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons, and humanitarian questions", and an oral report to the Economic and Social Council at its regular session of 1994.





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Agenda item 114

HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN RIGHTS
INSTRUMENTS; HUMAN RIGHTS QUESTIONS, INCLUDING
ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE
ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS;
HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL
RAPPORTEURS AND REPRESENTATIVES

Report of the Third Committee (Part I)*

Rapporteur: Mrs. Rosa Carmina Recinos de MALDONADO (Guatemala)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled:

"Human rights questions:

"(a) Implementation of human rights instruments;

"(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

"(c) Human rights situations and reports of special rapporteurs and representatives."

and to allocate it to the Third Committee.

* The report of the Committee on item 114 will be issued in five parts (see also A/48/632/Add.1-4).

2. For its consideration of the item, the Committee had before it the following documents:

- (a) Report of the Human Rights Committee (A/48/40);
- (b) Report of the Committee against Torture (A/48/44 and Add.1);
- (c) Note by the Secretary-General on children in armed conflicts: recommendation to the General Assembly adopted by the Committee on the Rights of the Child at its third session (A/48/280).

3. The Committee also had before it the following documents under item 114:

- (a) Letter dated 28 December 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/58-S/25024);
- (b) Letter dated 25 February 1993 from the Permanent Representative of Equatorial Guinea to the United Nations addressed to the Secretary-General (A/48/94);
- (c) Letter dated 26 February 1993 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General (A/48/93);
- (d) Letter dated 7 April 1993 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General (A/48/136);
- (e) Letter dated 27 May 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Romania to the United Nations addressed to the Secretary-General (A/48/181);
- (f) Letter dated 28 May 1993 from the Permanent Representative of the Republic of Moldova to the United Nations addressed to the Secretary-General (A/48/184);
- (g) Letter dated 4 June 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Romania to the United Nations addressed to the Secretary-General (A/48/201);
- (h) Letter dated 11 June 1993 from the Permanent Mission of Equatorial Guinea to the United Nations addressed to the Secretary-General (A/48/211);
- (i) Letter dated 16 June 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Indonesia to the United Nations addressed to the Secretary-General (A/48/214);
- (j) Letter dated 21 June 1993 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/48/217-S/25986);
- (k) Letter dated 23 June 1993 from the Chargé d'affaires a.i. of the Permanent Mission of India to the United Nations addressed to the Secretary-General (A/48/222);

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- (l) Letter dated 12 July 1993 from the Permanent Representative of Jordan to the United Nations addressed to the Secretary-General (A/48/262);
- (m) Letter dated 12 July 1993 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General (A/48/396-S/26440);
- (n) Letter dated 19 July 1993 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General (A/48/273);
- (o) Letter dated 20 July 1993 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (A/48/274-S/26125);
- (p) Letter dated 27 July 1993 from the Permanent Representative of Thailand to the United Nations addressed to the Secretary-General (A/48/294-S/26247);
- (q) Letter dated 4 August 1993 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General (A/48/291-S/26242);
- (r) Letter dated 9 August 1993 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General (A/48/302);
- (s) Letter dated 9 August 1993 from the Permanent Representative of Equatorial Guinea to the United Nations addressed to the Secretary-General (A/48/307);
- (t) Letter dated 18 August 1993 from the Permanent Representative of Equatorial Guinea to the United Nations addressed to the Secretary-General (A/48/330);
- (u) Letter dated 30 August 1993 from the Permanent Representative of Equatorial Guinea to the United Nations addressed to the Secretary-General (A/48/357);
- (v) Letter dated 3 September 1993 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General (A/48/370);
- (w) Letter dated 9 September 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/48/387-S/26424);
- (x) Letter dated 9 September 1993 from the Permanent Representative of Grenada to the United Nations addressed to the Secretary-General (A/48/401);
- (y) Letter dated 10 September 1993 from the Permanent Representative of Peru to the United Nations addressed to the Secretary-General (A/48/394);
- (z) Letter dated 14 September 1993 from the Permanent Representative of Albania to the United Nations addressed to the Secretary-General (A/48/395-S/26439);

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(aa) Letter dated 28 September 1993 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General (A/48/446);

(bb) Letter dated 6 October 1993 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General (A/48/484-S/26552)

(cc) Letter dated 12 October 1993 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General (A/48/496);

(dd) Letter dated 28 October 1993 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General (A/48/564);

(ee) Letter dated 23 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Eritrea to the United Nations addressed to the Secretary-General (A/48/643);

(ff) Letter dated 30 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/705-S/26830);

(gg) Letter dated 3 November 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/C.3/48/7).

(hh) Letter dated 10 December 1993 from the Permanent Representative of the Republic of Moldova to the United Nations addressed to the Secretary-General (A/48/751-S/26863);

4. The Committee also had before it the following documents under sub-item 114 (a):

(a) Report of the Secretary-General on the status of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (A/48/471);

(b) Report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights (A/48/507 and Corr.1 and 2);

(c) Report of the Secretary-General on the conclusions and recommendations of the fourth meeting of persons chairing human rights treaty bodies (A/48/508 and Corr.1);

(d) Report of the Secretary-General on the financing and adequate staff resources for the operations of the human rights treaty bodies (A/48/560);

(e) Note by the Secretary-General on the effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights (A/48/556);

(f) Letter dated 12 January 1993 from the Permanent Representative of Tunisia to the United Nations addressed to the Secretary-General (A/48/63);

(g) Letter dated 29 November 1993 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/C.3/48/21).

5. The Committee also had before it the following documents under sub-item 114 (b):

(a) Report of the Secretary-General on implementation of resolution 47/113 on the United Nations Observer Mission to Eritrea (A/48/283);

(b) Report of the Secretary-General on national institutions (A/48/340);

(c) Report of the Secretary-General on the respect for the principles of national sovereignty and non-interference in the internal affairs of States in their electoral processes (A/48/425);

(d) Report of the Secretary-General on the effective promotion of the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities (A/48/509 and Corr.1 and Add.1 and Add.1/Corr.1);

(e) Report by Mr. Fanuel Jarirentundu Kozonquizi, the independent expert, on the conditions in Somalia, prepared in accordance with paragraph 6 of Commission on Human Rights resolution 1993/86 (A/48/510);

(f) Report of the Secretary-General on human rights in the administration of justice (A/48/575);

(g) Report of the Secretary-General on the strengthening of the Centre for Human Rights of the Secretariat (A/48/589);

(h) Report of the Secretary-General on enhancing the effectiveness of the principle of periodic and genuine elections (A/48/590);

(i) Note by the Secretary-General on the Report the Director-General of the United Nations Educational, Scientific and Cultural Organization on the observance of the United Nations Year for Tolerance (A/48/210-E/1993/89);

(j) Note by the Secretary-General on the Right to Development (A/48/576);

(k) Letter dated 11 June 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/207-S/25936);

(l) Letter dated 17 March 1993 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General (A/48/116);

(m) Letter dated 24 March 1993 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General (A/48/120);

(n) Letter dated 1 April 1993 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General (A/48/125);

(o) Letter dated 14 April 1993 from the Permanent Representative of Denmark to the Secretary-General (A/48/152);

(p) Letter dated 18 May 1993 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General (A/48/174);

(q) Letter dated 20 August 1993 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General (A/48/342);

(r) Letter dated 23 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/642);

(s) Letter dated 10 December 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Romania to the United Nations addressed to the Secretary-General (A/48/750-S/26862);

(t) Letter dated 3 November 1993 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General (A/C.3/48/7);

(u) Letter dated 3 November 1993 from the Permanent Representative of Slovenia to the United Nations addressed to the Secretary-General (A/C.3/48/8).

6. The Committee also had before it the following documents under sub-item 114 (c):

(a) Note by the Secretary-General on the situation of human rights in the territory of the former Yugoslavia (A/48/92-S/25341);

(b) Note by the Secretary-General on the situation of human rights in South Africa (A/48/525);

(c) Note by the Secretary-General on the situation of human rights in the Islamic Republic of Iran (A/48/526 and Add.1);

(d) Note by the Secretary-General on the situation of human rights in Haiti (A/48/561);

(e) Note by the Secretary-General on the situation of human rights in Cuba (A/48/562);

(f) Note by the Secretary-General on the situation of human rights in southern Lebanon (A/48/577);

(g) Note by the Secretary-General on the situation of human rights in Myanmar (A/48/578);

(h) Note by the Secretary-General on the internally displaced persons (A/48/579);

(i) Note by the Secretary-General on the situation of human rights in Afghanistan (A/48/584);

(j) Note by the Secretary-General on the situation of human rights in Iraq (A/48/600 and Add.1);

(k) Note by the Secretary-General on the situation of human rights in the Sudan (A/48/601);

(l) Letter dated 22 January 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/68-S/25146);

(m) Letter dated 29 January 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/74-S/25216);

(n) Letter dated 29 January 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/75-S/25217);

(o) Letter dated 3 February 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/77-S/25231);

(p) Letter dated 18 February 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/88-S/25310);

(q) Letter dated 11 March 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/113-S/25397);

(r) Letter dated 17 March 1993 from the Permanent Representative of Denmark to the United Nations addressed to the Secretary-General (A/48/116);

(s) Letter dated 24 May 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/176-S/25834);

(t) Letter dated 24 May 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/177-S/25835);

(u) Letter dated 8 June 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/203-S/25898);

(v) Letter dated 12 July 1993 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (A/48/261-S/26073);

(w) Letter dated 20 July 1993 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General (A/48/274-S/26125);

(x) Letter dated 5 August 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Croatia to the United Nations addressed to the Secretary-General (A/48/295-S/26249);

(y) Letter dated 5 August 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/298-S/26255);

(z) Letter dated 6 August 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/299-S/26261);

(aa) Letter dated 26 August 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/351-S/26359);

(bb) Letter dated 31 August 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/355-S/26390);

(cc) Letter dated 9 September 1993 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (A/48/387-S/26424);

(dd) Letter dated 3 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/48/570-S/26686);

(ee) Letter dated 5 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/C.3/48/13);

(ff) Letter dated 9 November 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/C.3/48/9);

(gg) Letter dated 22 November 1993 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General (A/C.3/48/17);

(hh) Letter dated 8 December 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/C.3/48/25).

7. For the consideration of proposals under sub-item (a), see document A/48/632/Add.1; under sub-item (b), see documents A/48/632/Add.2 and 4; and under sub-item (c), see A/48/632/Add.3.



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HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS

Report of the Third Committee (Part II)*

Rapporteur: Mrs. Rosa Carmina Recinos de MALDONADO (Guatemala)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 24 September 1993, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-eighth session the item entitled:

"Human rights questions:

"(a) Implementation of human rights instruments"

and to allocate it to the Third Committee.

2. The Committee considered the item in conjunction with items 115 and 172 at its 36th to 56th meetings, from 17 to 19, 22 to 24, and 26, 29 and 30 November and on 1, 3, 6, 8 and 13 December. An account of the Committee's discussions is contained in the relevant summary records (A/C.3/48/SR.36-56).

3. For the documents before the Committee under this item, see A/48/632.

* The report of the Committee on item 114 will be issued in five parts (see also A/48/632 and Adds.2-4).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.3/48/L.53

4. At the 50th meeting, on 3 December, the representative of Finland, on behalf of Australia, Austria, Belarus, Canada, Costa Rica, the Czech Republic, Denmark, El Salvador, Finland, Gambia, Guatemala, Hungary, Iceland, Italy, Lithuania, the Netherlands, New Zealand, Norway, Peru, Poland, Portugal, the Russian Federation, Senegal, Slovakia, Slovenia, Spain, Sweden and Venezuela, joined later by Romania, introduced a draft resolution entitled "International covenants on human rights" (A/C.3/48/L.53).

5. Subsequently, Cyprus and the Philippines joined as sponsors of the draft resolution.

6. At the same meeting, the Committee adopted the draft resolution without a vote (see para. 11, draft resolution I).

B. Draft resolution A/C.3/48/L.61

7. At the 50th meeting, on 3 December, the representative of Canada, on behalf of Argentina, Australia, Austria, Belgium, Cameroon, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, the Netherlands, New Zealand, Norway, Poland, Portugal, Spain and Sweden, later joined by Cameroon and the United Kingdom of Great Britain and Northern Ireland, introduced a draft resolution entitled "Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights" (A/C.3/48/L.61).

8. Subsequently, Luxembourg, the Philippines and Slovakia joined as sponsors of the draft resolution.

9. At the same meeting, the Committee adopted the draft resolution without a vote (see para. 11, draft resolution II).

10. After the adoption of the draft resolution, the representative of the United States of America made a statement (see A/C.3/48/SR.53).

III. RECOMMENDATIONS OF THE THIRD COMMITTEE

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

International covenants on human rights

The General Assembly,

Recalling its resolution 46/113 of 12 December 1991, and taking note of Commission on Human Rights resolution 1993/15 of 26 February 1993, 1/

Mindful that the International Covenants on Human Rights 2/ constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights, 3/ form the core of the International Bill of Human Rights,

Taking note of the report of the Secretary-General on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, 4/

Welcoming the fact that the total number of States parties to each of the Covenants has increased significantly through recent ratifications or accessions, while noting at the same time that many States Members of the United Nations have yet to become parties to them or to the Optional Protocols to the Covenant on Civil and Political Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights 5/ and the International Covenant on Civil and Political Rights 5/ and reaffirming that all human rights and fundamental freedoms are indivisible and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Recognizing the important role of the Human Rights Committee in the implementation of the International Covenant on Civil and Political Rights and the Optional Protocols thereto, 6/

1/ See Official Records of the Economic and Social Council, 1993, Supplement No. 3 (E/1993/23), chap. II, sect. A.

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 217 A (III).

4/ A/48/507.

5/ Resolution 2200 A (XXI), annex.

6/ See resolution 2200 A (XXI), annex, and resolution 44/128, annex.

Also recognizing the important role of the Committee on Economic, Social and Cultural Rights in the implementation of the International Covenant on Economic, Social and Cultural Rights,

Welcoming the submission to the General Assembly of the annual report of the Human Rights Committee 7/ and the report of the Committee on Economic, Social and Cultural Rights on its seventh session, 8/

Considering that the effective functioning of treaty bodies established in accordance with the relevant provisions of international instruments on human rights plays a fundamental role and hence represents an important continuing concern of the United Nations,

Noting with satisfaction the ongoing efforts of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to improve their methods of work,

Noting with concern the critical situation with regard to overdue reports from States parties to the International Covenants on Human Rights,

Bearing in mind the successful conclusion of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and the adoption of the Vienna Declaration and Programme of Action, 9/ and taking into account in particular the call for strengthening and further implementation of the human rights instruments,

1. Reaffirms the importance of the International Covenants on Human Rights as major parts of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. Once again urges all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and to consider acceding to the Optional Protocols to the International Covenant on Civil and Political Rights;

3. Welcomes the Secretary-General's intention to intensify systematic efforts to encourage States to become parties to the Covenants and, through the programme of advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants;

7/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 40 (A/48/40).

8/ Official Records of the Economic and Social Council, 1993, Supplement No. 2 (E/1993/22).

9/ A/CONF.157/24 (Part I), chap. III.

4. Invites the States parties to the International Covenant on Civil and Political Rights to consider making the declaration provided for in article 41 of the Covenant;

5. Emphasizes the importance of the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to the International Covenant on Civil and Political Rights;

6. Stresses the importance of avoiding the erosion of human rights by derogation, and underlines the necessity of strict observance of the agreed conditions and procedures for derogation under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency, so that the justification for and appropriateness of measures taken in these circumstances can be assessed;

7. Stresses the importance of fully taking into account the gender perspective, namely, the need to take into account the specific needs and situation of women in the implementation of the Covenants at the national level, including in the national reports, and in the work of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

8. Encourages the States to consider limiting the extent of any reservations they lodge to the International Covenants on Human Rights, to formulate any reservations as precisely and narrowly as possible and to ensure that no reservation is incompatible with the object and purpose of the relevant treaty or otherwise contrary to international law;

9. Also encourages the States parties to review regularly any reservations made in respect of the provisions of the International Covenants on Human Rights with a view to withdrawing them;

10. Takes note with appreciation of the annual reports of the Human Rights Committee submitted to the General Assembly at its forty-seventh 10/ and forty-eighth sessions; 7/

11. Also takes note with appreciation of the reports of the Committee on Economic, Social and Cultural Rights on its sixth 11/ and seventh 8/ sessions;

12. Expresses its satisfaction with the serious and constructive manner in which both Committees are carrying out their function;

10/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40 (A/47/40).

11/ Official Records of the Economic and Social Council, 1992, Supplement No. 3 (E/1992/23).

13. Welcomes the efforts of the Committees to further improve their working methods, in particular by adopting concluding observations containing specific suggestions and recommendations concerning steps States parties could take to implement the Covenants more effectively;

14. Invites the Committees to identify specific needs of States parties that might be addressed through the advisory services and technical assistance programme of the Centre for Human Rights, with the possible participation of members of the Committees where appropriate;

15. Encourages the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to consider further innovations in their working methods, in particular aiming at the prevention of serious human rights violations in their respective fields of competence and the promotion of peaceful solutions;

16. Welcomes the continuing efforts of the Human Rights Committee to strive for uniform standards in the implementation of the provisions of the International Covenant on Civil and Political Rights, and appeals to other bodies dealing with similar human rights questions to respect these uniform standards, as expressed in the general comments of the Human Rights Committee;

17. Also welcomes the efforts of the Committee on Economic, Social and Cultural Rights in the preparation of general comments on the provisions of the International Covenant on Economic, Social and Cultural Rights;

18. Urges States parties to fulfil in good time such reporting obligations under the International Covenants on Human Rights as may be requested;

19. Also urges States parties to the International Covenant on Economic, Social and Cultural Rights, the specialized agencies and other relevant United Nations bodies to extend their full support and cooperation to the Committee on Economic, Social and Cultural Rights;

20. Further urges States parties to take duly into account, in implementing the provisions of the Covenants, the observations made at the conclusion of the consideration of their reports by the Human Rights Committee and by the Committee on Economic, Social and Cultural Rights;

21. Invites States parties to give particular attention to the dissemination at the national level of the reports they have submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, as well as the summary records relating to the examination of those reports by the Committees;

22. Encourages all Governments to publish the texts of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights in as many local languages as possible and to distribute them and make them known as widely as possible in their territories;

23. Requests the Secretary-General to consider ways and means of assisting States parties to the Covenants in the preparation of their reports, including seminars or workshops at the national level for the purpose of training government officials engaged in the preparation of such reports, and the exploration of other possibilities available under the regular programme of advisory services in the field of human rights;

24. Also requests the Secretary-General, in accordance with the Vienna Declaration and Programme of Action, 12/ to make appropriate arrangements for additional resources from within the regular budget to be provided to the Human Rights Committee for dealing in an effective and timely manner with the increasing workload under the First Optional Protocol to the International Covenant on Civil and Political Rights;

25. Further requests the Secretary-General to ensure that the Centre for Human Rights of the Secretariat effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates;

26. Once again urges the Secretary-General, taking into account the suggestions of the Human Rights Committee, to take determined steps to give more publicity to the work of that Committee and, similarly, to the work of the Committee on Economic, Social and Cultural Rights;

27. Requests the Secretary-General to submit to the General Assembly at its fiftieth session, under the item entitled "Human rights questions", a report on the status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocols to the International Covenant on Civil and Political Rights, including all reservations and declarations.

DRAFT RESOLUTION II

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 47/111 of 16 December 1992, as well as other relevant resolutions,

Reaffirming that the effective implementation of United Nations human rights instruments is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of

12/ A/CONF.157/24 (Part I), chap. III, part II, paras. 9-12.

Human Rights, 13/ to promote universal respect for and observance of human rights and fundamental freedoms,

Also reaffirming its responsibility to ensure the proper functioning of treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirming the importance of:

(a) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

(b) Securing sufficient financial resources to overcome existing difficulties with their effective functioning;

(c) Addressing questions of both reporting obligations and financial implications whenever elaborating any further instruments on human rights,

Recalling the conclusions and recommendations of the second meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 14 October 1988, 14/ and the endorsement of the recommendations aimed at streamlining, rationalizing and otherwise improving reporting procedures by the General Assembly in its resolution 47/111 and the Commission on Human Rights in its resolution 1993/16 of 26 February 1993,

Noting the meeting, within the framework of the World Conference on Human Rights, of persons chairing treaty bodies together with those persons chairing each of the principal regional and other human rights bodies, 15/

Taking particular note of the conclusions and recommendations of the third and fourth meetings of persons chairing the human rights treaty bodies, held at Geneva from 1 to 5 October 1990, 16/ and from 12 to 16 October 1992, 17/ respectively,

Expressing concern about the increasing backlog of reports on implementation by States parties of United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies,

Taking note of the reports of the Secretary-General 18/ on progress achieved in enhancing the effective functioning of the treaty bodies,

13/ Resolution 217 A (III).

14/ See A/44/98, sect. VII.

15/ A/CONF.157/24 (Part II), chap. VI.

16/ See A/45/636, annex.

17/ See A/47/628, annex.

18/ A/44/539, A/46/503 and A/48/508.

Taking note also of the relevant paragraphs of the Vienna Declaration and Programme of Action, 19/

Welcoming the interim report of the updated study by the independent expert on possible long-term approaches to enhancing the effective operation of the treaty system, 20/

1. Endorses the conclusions and recommendations of the meetings of persons chairing the human rights treaty bodies aimed at streamlining, rationalizing and otherwise improving reporting procedures, as well as the continuing efforts in this connection by the treaty bodies and the Secretary-General within their respective spheres of competence;
2. Notes with satisfaction the interim report of the updated study by the independent expert on possible long-term approaches to enhancing the effective operation of the treaty system and requests that the Commission on Human Rights review the proposals contained in the independent expert's final report with a view to recommending further action;
3. Requests the Secretary-General to give high priority to establishing a computerized database to improve the efficiency and effectiveness of the functioning of the treaty bodies;
4. Again urges States parties to make every effort to meet their reporting obligations and to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining and improving reporting procedures as well as enhancing coordination and information flow between the treaty bodies and with relevant United Nations bodies, including specialized agencies;
5. Welcomes the emphasis placed by the meeting of persons chairing the human rights treaty bodies 17/ and by the Commission on Human Rights on the importance of technical assistance and advisory services and, further to this end:
 - (a) Endorses the request of the Commission that the Secretary-General report regularly to the Commission on possible technical assistance projects identified by the treaty bodies;
 - (b) Invites the treaty bodies to give priority attention to identifying such possibilities in the regular course of their work of reviewing the periodic reports of States parties;
6. Endorses the recommendations of the meeting of persons chairing the human rights treaty bodies on the need to ensure financing and adequate staffing resources for the operations of the treaty bodies and, with this in mind:

19/ A/CONF.157/24 (Part I), chap. III.

20/ A/CONF.157/PC/62/Add.11/Rev.1.

(a) Reiterates its request that the Secretary-General provide adequate resources in regard to the various treaty bodies;

(b) Requests that the Secretary-General report on this question to the Commission on Human Rights at its fiftieth session and to the General Assembly at its forty-ninth session;

7. Urges States parties to notify the Secretary-General, as depository of the International Convention on the Elimination of All Forms of Racial Discrimination 21/ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 22/ of their acceptance of the amendments approved by the States parties and the General Assembly for the purpose of funding the respective committees from the regular budget;

8. Calls upon all States parties to fulfil without delay and in full their financial obligations, including their arrears, under the Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment until the amendments enter into force;

9. Requests the Secretary-General to continue to take the necessary measures to ensure that the two committees established under the Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment meet as scheduled until the amendments enter into force;

10. Welcomes the report of the Secretary-General on the effective implementation of the conclusions and recommendations of the fourth meeting of persons chairing treaty bodies, held in October 1992, particularly the meeting of chairpersons held at Vienna on 15 and 16 June 1993, within the framework of the World Conference on Human Rights, together with those persons chairing each of the principal regional and other human rights bodies, which adopted the "Vienna statement of the international human rights treaty bodies"; 23/

11. Requests the Secretary-General to take the appropriate steps in order to continue financing the biennial meetings of persons chairing the human rights treaty bodies from the available resources of the regular budget of the United Nations;

12. Decides to continue giving priority consideration, at its forty-ninth session, to the conclusions and recommendations of the meetings of persons chairing human rights treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions".

21/ Resolution 2106 A (XX), annex.

22/ Resolution 39/46, annex.

23/ A/CONF.157/TBB4 and Add.1.